

**NATIONAL INSTITUTES OF HEALTH
Deputy Ethics Counselors and Ethics Coordinators
Meeting Minutes: April 24, 2006**

Administrative Items

It was confirmed with OGC/E that the certification signature on the confidential financial 450A forms can be delegated down from the DEC to an EC in each IC ethics office. The signature authority delegated to do this must be to an NIH employee as this function is inherently governmental and therefore cannot be delegated to a contractor. There is no signature line on the 450A but there must be a certification initial, a legible signature preferred, certifying the form.

Please be sure to send over hard copy, originals to the NEO. The NEO cannot process fax or E-mailed electronic copies. If you want to send a fax or email something you would like to discuss first that's fine but please send a hard copy original with original signatures for us to process.

Wednesday's (4-26-06) OGE 278 Public Financial Disclosure Review Course has been cancelled. Notice will be sent out very soon with a date it is to be rescheduled.

Diane Christensen sent out an email (4-19-06) asking for updated 450 filing information from the annual report. This is due to Diane on Wednesday (4-26-06). Please follow up and get this information to her in a timely manner.

Official Duty Activities

To reduce review time and emphasize employee and supervisor responsibility, it is being proposed that primary responsibility for review and approval of official duty activities be at the supervisory level. A chart is being developed by staff from the NIH Ethics Office, OER, OIR and OM to assist employees and supervisors in determining whether it is necessary to submit paperwork through the IC ethics office for approval and ensure employees are compliant with sections 208 and 502. These groups have identified typical examples of activities that are listed on the chart with the hopes of eliminating questions as to what would and would not need ethics approval. The chart will be posted on the web and updated often.

Supervisors should know what activities their employees are involved in and what conflicts may arise in regards to their official duty activities. By giving the employees/supervisors this information and allowing them to collaborate on these decisions we are educating them on what to look for in regards to a COI. The ethics community is here for the employees should there be any questions. Disseminating this information may generate more calls but it is ultimately the responsibility of the employee to ensure they are not breaking the law.

For the time being, Dr. Kington still wants Official Duty Activity (ODA) memos to be submitted through the NEO for all IC Directors and Deputy Directors to ensure they are not in conflict. In the near future there will be a policy stating which activities will need to be cleared for persons holding these positions.

There was discussion on ODA approval procedures, and it was stated that ICs may establish or continue their own internal, managerial or supervisory controls on official duty activities after the new ethics guidance is issued.

716s and 1195 forms

There is some inconsistency as to who is listed on an 1195 (protocol) form. There was discussion of this process and reasons persons are listed.

In addition, there was discussion of when supervisory review for COI is necessary, and how ethics officials and supervisors identify an SAO's competitors in difficult cases such as those involving new drugs or compounds (those studying same compound, same illness, same field?).

Awards

Discussion centered on clarifying when the award form should be used. There was a discussion of items related to awards (348 travel, WAGs, plaques, certificates) and how they are to be documented. There is a checklist being developed which will help determine if the award form is to be used and also assist with the documentation of these items.

Meeting was adjourned at 12:05pm